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Attorney Docket No.884.B9SUS1

SCHWEGMAN ■ LUNDBERG ■ WOBSSNER ■ KLUTH

United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>HIGH-THROUGHPUT MULTICARRIER COMMUNICATION</u>.

SYSTEMS AND METHODS FOR EXCHANGING CHANNEL STATE INFORMATION.

The specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number 60/536071

Filing Date

January 12, 2004

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Attorney Docket No.: 884.895US1 Serial No. not assigned Filing Date: not assigned

Page 2 of 4

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Aldous, Alan	Reg. No. 31,905	Greenberg, Robert A.	Reg. No. 44,133	Perdok, Monique M.	Reg. No. 42,989
Anderson, Robert D.	Reg. No. 33,826	Greenwald, Bradley A.	Reg. No. 34,341	Peret, Andrew R.	Reg. No. 41,246
Anglin, J. Michael	Reg. No. 24,916	Harris, Robert J.	Reg. No. 37,346	Peterson, David C.	Reg. No. 47,857
Arors, Suncel	Reg. No. 42,267	Hope, Libby	Reg. No. 46,774	Plimier, Michael D.	Reg. No. 43,004
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Bianchi, Timothy E.	Reg. No. 39,610	Kalis, Janal M.	Reg. No. 37,650	Sayles, Crystal D.	Reg. No. 44,318
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Green, Sharmini N.	Reg. No. 41,410	Pedersen-Giles, Alan	Reg. No. 39,996		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Khrth, P.A. to the contrary. Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1: Alexander A. Maltsev
Citizenship: Russian Federation
Post Office Address: Verhne-Pecherskaya Str., 1-7

Verhne-Pecherskaya Str., 1-7 Nizhny Novgorod 603163 Residence: Nizhny Novgorod Russian Federation

Signature:

Alexander A. Maltsev

Date: March 26, 2004

X Additional inventors are being named on separately numbered sheets, attached hereto.

Russian Federation

Full Name of joint invento	r number 2: Ali S. Sadri	
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	San Diego, CA 92128	
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	r number 3: Vadim S. Sergevey	
Citizenship: Post Office Address:	Russian Federation	Residence: Nizhny Novgorod Russian Federation
Post Office Address:	Vaneeva Str., 19-28	
_	Nizhny Novgorod 603105	
Signature:	- Alexander ederation	Date: March 26, 2004
Signature.		Date: 10000 26 , 2007
MANAGE TO THE PARTY OF THE PART	Vadim S. Seroevey	
- Andrews	Vadim S. Sergeyev	
,	Vadim S. Sergeyev	
	Vadim S. Sergeyev	
Full Name of joint inventor		
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Full Name of joint inventor Citizenship:	r number 4: <u>Adrian P. Stephens</u> United Kingdom 64 Lamb's Lane	
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Full Name of joint inventor Citizenship: Post Office Address: Signature:	r number 4: Adrian P. Stephens United Kingdom 64 Lamb's Lane Cottenham, Cambridge CB4 8TA United Kingdom Adrian P. Stephens	Residence: Cottenham, Cambridge United Kingdom
Full Name of joint inventor Citizenship: Post Office Address: Signature:	r number 4: Adrian P. Stephens United Kingdom 64 Lamb's Lane Cottenham, Cambridge CB4 8TA United Kingdom Adrian P. Stephens	Residence: Cottenham, Cambridge United Kingdom Date:
Full Name of joint inventor Citizenship: Post Office Address: Signature: Full Name of joint inventor Citizenship:	r number 4: Adrian P. Stephens United Kingdom 64 Lamb's Lane Cottenham, Cambridge CB4 8TA United Kingdom Adrian P. Stephens r number 5: John S. Sadowsky United States of America	Residence: Cottenham, Cambridge United Kingdom
Full Name of joint inventor Citizenship: Post Office Address: Signature: Full Name of joint inventor	r number 4: Adrian P. Stephens United Kingdom 64 Lamb's Lane Cottenham, Cambridge CB4 8TA United Kingdom Adrian P. Stephens r number 5: John S. Sadowsky United States of America 1428 West Lindner	Residence: Cottenham, Cambridge United Kingdom Date:
Full Name of joint inventor Citizenship: Post Office Address: Signature: Full Name of joint inventor Citizenship:	r number 4: Adrian P. Stephens United Kingdom 64 Lamb's Lane Cottenham, Cambridge CB4 8TA United Kingdom Adrian P. Stephens r number 5: John S. Sadowsky United States of America	Residence: Cottenham, Cambridge United Kingdom Date:

Attorney Docket No.: 884.B95US1 Serial No. not assigned Filing Date: not assigned

Page 4 of 4

§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by \$\$ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filling or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>HIGH-THROUGHPUT MULTICARRIER COMMUNICATION</u>
<u>SYSTEMS AND METHODS FOR EXCHANGING CHANNEL STATE INFORMATION</u>.

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<u>Application Number</u> 60/536071

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Attorney Docket No.: 884.B95US1 Serial No. not assigned Filing Date: not assigned

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Aldous, Alan	Reg. No. 31,905	Greenberg, Robert A.	Reg. No. 44,133	Perdok, Monique M.	Reg. No. 42,989
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Signature:		Date:	
	Alexander A. Maltsev		

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	Nizhny Novgorod 603105 Russian Federation	·	
Signature:	Russian Federation		
Signature.	adim S. Sergeyev	Date:	
V.	adim 5. Sergeyev	g significance of the sign	
•	*		
Full Name of joint inventor n	symphon d. Adultus D. Ct. 1		
A		7. 11. 2. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	
Post Office Address:	United Kingdom	Residence: Cottenham, Cambridge United Kingdom	
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Signature:		Data	
	nn S. Sadowsky	Date:	

Attorney Docket No.: 884.B95US1 Serial No. not assigned Filing Date: not assigned

- § 1.56 Duty to disclose information material to patentability.
- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
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 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
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Attorney Docket No.884.B95US1

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>HIGH-THROUGHPUT MULTICARRIER COMMUNICATION</u>
<u>SYSTEMS AND METHODS FOR EXCHANGING CHANNEL STATE INFORMATION</u>.

The specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number 60/536071

Filing Date
January 12, 2004

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Attorney Docket No.: 884.B95USI Serial No. not assigned Filing Date: not assigned

Page 2 of 4

i :

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Aldous, Alan Anderson, Robert D. Anglin, J. Michael Arora, Suncel Bacon, Shireen Barre, Michael Beale, Jay P. Beekman, Marvin L. Bianchi, Timothy E. Billion, Richard E. Black, David W. Bohanek, Bob Brake, Edward Brennan, Thomas F. Burge, Ben Chadwick, Robin A. Chen, George Choi, Glen Clark, Barbara J. Clise, Timothy B. Cochran, David R. Cool, Kenneth J. Crawford, Ted A. Dahl, John M. DeLizio, Andrew Diehl, Robert Draeger, Jeffrey S. Drake, Eduardo E. Embretson, Janet E. Faatz, Cindy Forrest, Bradley A. Gagne, Christopher Garrett, John R. Gorrie, Gregory J. Greaves, John N. Green, Sharmini N.	Reg. No. 31,905 Reg. No. 33,826 Reg. No. 24,916 Reg. No. 42,267 Reg. No. 40,494 Reg. No. 40,494 Reg. No. 50,901 Reg. No. 39,610 Reg. No. 39,610 Reg. No. 32,836 Reg. No. 42,331 Reg. No. 52,627 Reg. No. 37,784 Reg. No. 35,075 Reg. No. 35,075 Reg. No. 36,477 Reg. No. 36,477 Reg. No. 36,477 Reg. No. 36,477 Reg. No. 42,372 Reg. No. 36,477 Reg. No. 40,570 Reg. No. 40,957 Reg. No. 40,594 Reg. No. 40,594 Reg. No. 40,594 Reg. No. 40,594 Reg. No. 39,9655 Reg. No. 39,9655 Reg. No. 39,973 Reg. No. 30,837 Reg. No. 36,530 Reg. No. 36,530 Reg. No. 40,362 Reg. No. 36,530 Reg. No. 40,362 Reg. No. 40,362 Reg. No. 36,530 Reg. No. 40,362 Reg. No. 40,362 Reg. No. 40,362 Reg. No. 41,410	Greenberg, Robert A. Greenwald, Bradley A. Harris, Robert J. Hope, Libby Huter, Jeffrey B. Jackson Huebsch, Katharine A. Jordan, B. D. Jurkovich, Patti J. Kalis, Janal M. Kalson, Seth Klima-Silberg, Catherine I. Kluth, Daniel J. Lacy, Rodney L. Lam, Peter Lin, Issac Lundberg, Steven W. Maki, Peter C. Malen, Peter L. Martinez, Anthony Mates, Robert E. McCall, Molly McCrackin, Ann M. Mehrle, Joseph P. Mennemeier, Larry Muller, Mark V. Nagy, Paul Nelson, A. James Nesheiwat, Michael J. Newtson, Ruth H. Nicholls, Dennis A. Nielsen, Walter W. Padys, Danny J. Parker, Lanny Parker, J. K. Peacock, Gregg A. Pedersen-Giles, Alan	Reg. No. 44,133 Reg. No. 34,341 Reg. No. 34,341 Reg. No. 46,774 Reg. No. 41,086 Reg. No. 41,086 Reg. No. 47,670 Reg. No. 43,698 Reg. No. 44,813 Reg. No. 37,650 Reg. No. 30,166 Reg. No. 40,052 Reg. No. 32,146 Reg. No. 41,136 Reg. No. 41,136 Reg. No. 41,136 Reg. No. 44,855 Reg. No. 30,568 Reg. No. 42,832 Reg. No. 42,832 Reg. No. 42,832 Reg. No. 44,233 Reg. No. 44,233 Reg. No. 46,126 Reg. No. 46,126 Reg. No. 45,535 Reg. No. 45,535 Reg. No. 37,509 Reg. No. 37,509 Reg. No. 37,509 Reg. No. 37,509 Reg. No. 47,819 Reg. No. 28,650 Reg. No. 28,650 Reg. No. 26,657 Reg. No. 26,657 Reg. No. 25,539 Reg. No. 42,036 Reg. No. 25,539 Reg. No. 42,036 Reg. No. 25,539 Reg. No. 43,021 Reg. No. 33,024 Reg. No. 45,001 Reg. No. 45,001 Reg. No. 39,996	Perdok, Monique M. Peret, Andrew R. Peterson, David C. Plimier, Michael D. Price, Lucinda G. Proksch, Michael A. Prout, William F. Reif, Kevin A. Sayles, Crystal D. Schumm, Sherry W. Schwegman, Micheal L. Scott, Russell Seddon, Ken Secley, Mark Shah, Ami P. Simon, David Skabrat, Steve Speier, Gary J. Steffey, Charles E. Steiner, Paul E. Stutman-Horm, Joni D. Tong, Viet V. Tran, David Travis, John F. Tweet, Kerry D. Wawrzyn, Robert Wells, Calvin Whittington, Stuart Willardson, Michael Winkle, Robert G. Wisor, Rita Woessner, Warren D. Wong, Sharon Yates, Steven D.	Reg. No. 42,989 Reg. No. 41,246 Reg. No. 43,004 Reg. No. 43,004 Reg. No. 43,021 Reg. No. 33,995 Reg. No. 36,381 Reg. No. 36,381 Reg. No. 25,816 Reg. No. 25,816 Reg. No. 43,103 Reg. No. 43,103 Reg. No. 43,103 Reg. No. 32,756 Reg. No. 32,756 Reg. No. 32,756 Reg. No. 32,756 Reg. No. 42,143 Reg. No. 32,756 Reg. No. 42,173 Reg. No. 42,173 Reg. No. 45,458 Reg. No. 45,454 Reg. No. 45,416 Reg. No. 45,416 Reg. No. 50,804 Reg. No. 45,416 Reg. No. 50,804 Reg. No. 50,804 Reg. No. 50,804 Reg. No. 50,804 Reg. No. 57,4654 Reg. No. 57,474 Reg. No. 50,856 Reg. No. 37,474 Reg. No. 37,760 Reg. No. 37,760 Reg. No. 37,760 Reg. No. 37,760 Reg. No. 42,242
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I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary. Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor	number 1: Alexander A. Maltsev	
Citizenship:	Russian Federation	Residence: Nizhny Novgorod Russian Federation
Post Office Address:	Verhne-Pecherskaya Str., 1-7	The state of the s
	Nizhny Novgorod 603163	
	Russian Federation	
Signature:		Date:
	Alexander A. Maltsev	
-		

 \underline{X} Additional inventors are being named on separately numbered sheets, attached hereto.

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; ;

Attorney Docket No.: 884.B95US1 Serial No. not assigned Filing Date: not assigned

Page 4 of 4

- § 1.56 Duty to disclose information material to patentability.
- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

rest awailable copy

Attorney Docket No.884.B95US1

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: HIGH-THROUGHPUT MULTICARRIER COMMUNICATION SYSTEMS AND METHODS FOR EXCHANGING CHANNEL STATE INFORMATION.

The specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number 60/536071

Filing Date January 12, 2004

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Attorney Docket No.: 884.B95US1

Serial No. not assigned Filing Date: not assigned Page 2 of 4

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

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414. 41.					
Aldous, Alan	Reg. No. 31,905	Greenberg, Robert A.	Reg. No. 44,133	Perdok, Monique M.	Reg. No. 42,989
Anderson, Robert D.	Reg. No. 33,826	Greenwald, Bradley A.	Reg. No. 34,341	Peret, Andrew R.	Reg. No. 41,246
Anglin, J. Michael	Reg. No. 24,916	. Harris, Robert J.	Reg. No. 37,346	Peterson, David C.	Reg. No. 47,857
Arora, Suncel	Reg. No. 42,267	Hope, Libby	Reg. No. 46,774	Plimier, Michael D.	Reg. No. 43,004
Bacon, Shireen	Reg. No. 40,494	Huter, Jeffrey B.	Reg. No. 41,086	Price, Lucinda G.	Rcg. No. 42,270
Barre, Michael	Reg. No. 44,023	Jackson Huebsch, Katharine A.	Reg. No. 47,670	Proksch, Michael A.	Reg. No. 43,021
Beale, Jay P.	Reg. No. 50,901	Jordan, B. D.	Reg. No. 43,698	Prout, William F.	Reg. No. 33,995
Beekman, Marvin L.	Reg. No. 38,377	Jurkovich, Patti J.	Reg. No. 44,813	Reif, Kevin A.	Reg. No. 36,381
Bianchi, Timothy E.	Reg. No. 39,610	Kalis, Janal M.	Reg. No. 37,650	Sayles, Crystal D.	Reg. No. 44,318
Billion, Richard E.	Reg. No. 32,836	Kalson, Seth	Reg. No. 40,670	Schumm, Sherry W.	Reg. No. 39,422
Black, David W.	Reg. No. 42,331	Klima-Silberg, Catherine 1.	Reg. No. 40,052	Schwegman, Micheal L.	Reg. No. 25,816
Bohanek, Bob	Reg. No. 52,627	Kluth, Daniel J.	Reg. No. 32,146	Scott, Russell	
Brake, Edward	Reg. No. 37,784	Lacy, Rodney L.	Reg. No. 41,136	Seddon, Ken	Reg. No. 43,103
Brennan, Thomas F.	Reg. No. 35,075	Lam, Peter	Reg. No. 44,855	Seeley, Mark	Reg. No. 43,105
Burge, Ben	Reg. No. 42,372	Lin, Issac	Reg. No. 50,672	Shah, Ami P.	Reg. No. 32,299
Chadwick, Robin A.	Reg. No. 36,477	Lundberg, Steven W.	Reg. No. 30,568	Simon, David	Reg. No. 42,143
Chen, George	Reg. No. 50,807	Maki, Peter C.	Reg. No. 42,832	Skabrat, Steve	Reg. No. 32,756
Choi, Glen	Reg. No. 43,546	Malen, Peter L.	Reg. No. 44,894	Speier, Gary J.	Reg. No. 36,279
Clark, Barbara J.	Reg. No. 38,107	Martinez, Anthony	Reg. No. 44,223	Steffey, Charles E.	Reg. No. 45,458
Clise, Timothy B.	Reg. No. 40,957	Mates, Robert E.	Reg. No. 35,271	Steiner, Paul E.	Reg. No. 25,179
Cochran, David R.	Reg. No. 46,632	McCall, Molly	Reg. No. 46,126	Stutman-Hom, Joni D.	Reg. No. 41,326
Cool, Kenneth J.	Reg. No. 40,570	McCrackin, Ann M.	Reg. No. 42,858		Reg. No. 42,173
Crawford, Ted A.	Reg. No. 50,610	Mehrle, Joseph P.	Reg. No. 45,535	Tong, Viet V.	Reg. No. 45,416
Dahl, John M.	Reg. No. 44,639	Mennemeier, Larry	Reg. No. 51,003	Tran, David	Reg. No. 50,804
DeLizio, Andrew	Reg. No. 52,806	Muller, Mark V.	Reg. No. 37,509	Travis, John F.	Reg. No. 43,203
Diehl, Robert	Reg. No. 40,992	Nagy, Paul	Reg. No. 37,896	Tweet, Kerry D.	Reg. No. 45,959
Draeger, Jeffrey S.	Reg. No. 41,000	Nelson, A. James .	• • • • •	Wawrzyn, Robert	Reg. No. 54,654
Drake, Eduardo E.	Reg. No. 40,594	Nesheiwat, Michael J.	Reg. No. 28,650	Wells, Calvin	Reg. No. 43,256
Embretson, Janet E.	Reg. No. 39,665	Newtson, Ruth H.	Reg. No. 47,819	Whittington, Stuart	Reg. No. 45,215
Faatz, Cindy	Reg. No. 39,973	Nicholls, Dennis A.	Reg. No. 26,657	Willardson, Michael	Reg. No. 50,856
Forrest, Bradley A.	Reg. No. 30,837	Nielsen, Walter W.	Reg. No. 42,036	Winkle, Robert G.	Reg. No. 37,474
Gagne, Christopher	Reg. No. 36,142	Padys, Danny J.	Reg. No. 25,539	Wisor, Rita	Reg. No. 41,382
Garrett, John R.	Reg. No. 27,888		Reg. No. 35,635	Woessner, Warren D.	Reg. No. 30,440
Gorrie, Gregory J.	Reg. No. 36,530	Parker, Lanny	Reg. No. 44,281	Wong, Sharon	Reg. No. 37,760
Greaves, John N.	Reg. No. 40,362	Parker, J. K.	Reg. No. 33,024	Yates, Steven D.	Reg. No. 42,242
Green, Sharmini N.	Reg. No. 41,410	Peacock, Gregg A.	Reg. No. 45,001		
	VER' 140' 41'410	Pedersen-Giles, Alan	Reg. No. 39,996		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary. Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor	number 1: Alexander A. Maltsev	
Citizenship:	Russian Federation	Residence: Nizhny Novgorod Russian Federation
Post Office Address:	Verhne-Pecherskaya Str., 1-7	resistance. Hamily Hovedton Russian Reneration
	Nizhny Novgorod 603163	
	Russian Federation	
Signature:		Date:
•	Alexander A. Maltsev	
_		

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Attorney Docket No.: 884.B95US1 Serial No. not assigned Filing Date: not assigned			Page 3 of 4
Full Name of joint inventor nur Citizenship: Post Office Address:	nber 2: Ali S. Sadri United States of America 11835 Carmel Mountain Road Suite 1304-306 San Diego, CA 92128	Residence: San Diego, CA	
Signature: Ali S	S. Sadri	Date:	_
Full Name of joint inventor nun Citizenship: Post Office Address:	Russian Federation Vaneeva Str., 19-28 Nizhny Novgorod 603105	Residence: Nizhny Novgorod Russian Federation	
Signature:Vadi	Russian Federation m S. Sergeyev	Date:	_
Full Name of joint inventor num Citizenship: Post Office Address:	United Kingdom	Residence: Cottenham, Cambridge United Kingdom	
Signature:	64 Lamb's Lane Cottenham, Cambridge CB4 8TA United Kingdom n P. Stephens	Date:	
_			
Full Name of joint inventor num Citizenship: Post Office Address:	ber 5: <u>John S. Sadowsky</u> United States of America 1428 West Lindner Mesa, AZ 85202	Residence: Mesa, AZ	
Signature: John S	S. Sadowsky	Date: March 24, 2004	-

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Attorney Docket No.: 884,B95US1 Serial No. not assigned Filing Date: not assigned

Page 4 of 4

- § 1.56 Duty to disclose information material to patentability.
- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
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 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.